



MAIL STOP AF
RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3663

PATENT
8564-000032/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Lukas Trosman et al. Conf.: 5553
Appl. No.: 10/748,175 Group: 3663
Filed: December 31, 2003 Examiner: Alexandra F. Awai
For: AXIALLY SEGREGATED PART-LENGTH FUEL RODS
IN A REACTOR FUEL BUNDLE
Docket No.: 24GA127098

**NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop AF

May 15, 2006 (Monday)

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated February 13, 2006 of the Primary Examiner finally rejecting claims 21-26 and 28-32.

- The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- The enclosed document is concurrently filed with a Pre-Appeal Brief Request for Review.

Applicants hereby petition for an extension of _____ () month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

05/16/2006 MGEBRM1 0000019 10748175

01 FC:1401

500.00 0P

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$.00 is required for the full period of the above-requested extension of time.

An extension of _____ (____) month(s) for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$ _____ is required.

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

Large entity - \$500.00

Small Entity - \$250.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$500.00.

Payment of the above TOTAL FEE is being made in the following manner:

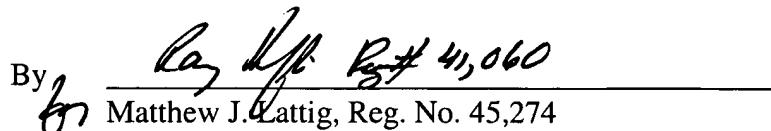
Check in the amount of \$500.00 is enclosed.

Please charge Deposit Account No. 08-0750 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By 
Matthew J. Lattig, Reg. No. 45,274
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

GDY/MJL:lak

Please type a plus sign (+) inside this box →

HDP/SB/21 based on PTO/SB/21 (08-00)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

O I P E I A P S G
+
P R E M I U M T R A D E M A R K O F F I C E
MAY 15 2006

AF
\$
Jfm

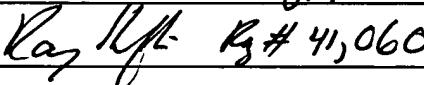
Application Number	10/748,175
Filing Date	December 31, 2003
Inventor(s)	Lukas TROSMAN et al.
Group Art Unit	3663
Examiner Name	Alexandra F. Awai
Attorney Docket Number	24GA127098

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Letter to the Official Draftsperson and _____ Sheets of Formal Drawing(s)	<input type="checkbox"/> LETTER SUBMITTING APPEAL BRIEF AND APPEAL BRIEF (w/clean version of pending claims)
<input type="checkbox"/> Amendment	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Group (Notice of Appeal, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		Remarks
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

HDP REF: 8564-000032/US

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C. 87	Attorney Name Matthew J. Lattig	Reg. No. 45,274
Signature			
Date	May 15, 2006		

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2006

Effective 2/8/2006. Patent fees are subject to annual review.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 500.00)

Complete if Known	
Application Number	10/748,175
Filing Date	December 31, 2003
First Named Inventor	Lukas TROSMAN
Examiner Name	Alexandra F. Awai
Art Unit	3663
Attorney Docket No.	24GA127098 (HDP Ref: 8564-000032/US)

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
Order

Deposit Account:

Deposit Account Number 08-0750

Deposit Account Name Harness, Dickey & Pierce, PLC

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1011	2011	300	150
1012	2012	200	100
1013	2013	200	100
1014	2014	300	150
1005	2005	200	100
SUBTOTAL (1)		(\$ 0)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20 **	= 0	x 0 = 0
Independent Claims	-3 **	= 0	x 0 = 0
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	Fee (\$)
1202	2202	50 25
1201	2201	200 100
1203	2203	360 180
1204	2204	200 100
1205	2205	50 25
SUBTOTAL (2)		(\$ 0)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	500
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1000	2403	500	Request for oral hearing	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1500	2453	750	Petition to revive - unintentional	
1462	400	1462	400	Petition fee under 37 CFR 1.17(f)	
1463	200	1463	200	Petition fee under 37 CFR 1.17(g)	
1464	130	1464	130	Petition fee under 37 CFR 1.17(h)	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	(\$500)		
4. SEARCH/EXAMINATION FEES					
1111	500	2111	250	Utility Search Fee	
1112	100	2112	50	Design Search Fee	
1113	300	2113	150	Plant Search Fee	
1114	500	2114	250	Reissue Search Fee	
1311	200	2311	100	Utility Examination Fee	
1312	130	2312	65	Design Examination Fee	
1313	160	2313	80	Plant Examination Fee	
1314	600	2314	300	Reissue Examination Fee	
SUBTOTAL (4)		(\$0)			

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Matthew J. Lattig	Registration No. (Attorney/Agent)	45,274	Telephone	(703) 668-8000
Signature	Ray Lattig Ray 41,060		Date	May 15, 2006	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.